

1 RENE L. VALLADARES
Federal Public Defender
2 State Bar No. 11479
SYLVIA A. IRVIN
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577
5 Sylvia_Irvin@fd.org

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JAMES KENNETH DAILEY,

12 Defendant.

Case No. 2:03-cr-00128-APG-RJJ-1

STIPULATION TO CONTINUE
STATUS HEARING
(First Request)

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14 IT IS HEREBY STIPULATED AND AGREED, by United States Attorney Nicholas
15 A. Trutanich and Assistant United States Attorney Cristina D. Silva, counsel for the United
16 States of America, and Federal Public Defender Rene L. Valladares, and Assistant Federal
17 Public Defender Sylvia A. Irvin, counsel for James Kenneth Dailey, that the Status Hearing
18 currently scheduled on March 19, 2019, be vacated and continued to the July 9, 2019 status
19 date.

20 This Stipulation is entered into for the following reasons:

21 1. Defense counsel has been appointed to evaluate whether Mr. Dailey is eligible
22 for relief under the First Step Act, Section 404.

23 2. Counsel asks for additional time to determine Mr. Dailey's eligibility for
24 Section 404 relief.
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1 3. A status hearing is already scheduled before this Court on July 9, 2019. ECF
2 No. 125. That status hearing is to determine how the Court will proceed on a pending petition
3 for a supervised release violation. *Id.*

4 4. Defense counsel will file a motion as to Mr. Dailey's eligibility before the July
5 9, 2019 status hearing, and early enough to allow sufficient time for government counsel to
6 file a response.

7 5. The parties agree to the continuance.

8 This is the first request for a continuance of the status hearing.

9 DATED this 15th day of March, 2019.

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11 RENE L. VALLADARES
12 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

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14 By /S/ Sylvia A. Irvin
15 SYLVIA A. IRVIN
16 Assistant Federal Public Defender

By /s/ Cristina D. Silva
CRISTINA D. SILVA
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JAMES KENNETH DAILY,

7 Defendant.

Case No. 2:03-cr-00128-APG-RJJ-1

8 **ORDER**

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10 IT IS THEREFORE ORDERED that the status hearing currently scheduled for Monday,
11 March 18, 2019, at 10:30 a.m., be vacated and continued to July 9, 2019 at the hour of
12 9:30 a.m., or to a time and date convenient to the Court.

13 DATED this 18th day of March, 2019.

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15 UNITED STATES DISTRICT JUDGE
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